



W.P.No.37471 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.37471 of 2015

and

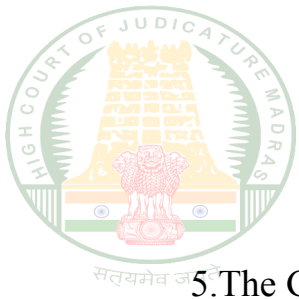
W.M.P.No.56 of 2016 & M.P.Nos.1 & 3 of 2015

The Chief Operating Officer,
SAIL Refractory Company Ltd.,
Salem – 636 005.

... Petitioner

Vs.

- 1.The Appellate Authority under Industrial Employment
(Standing Orders) Act,
The Deputy Chief Labour Commissioner (Central),
Shastri Bhawan, 5th Floor,
No.4, Haddows Road,
Chennai – 600 006.
- 2.The Regional Labour Commissioner (Central),
Certifying Officer under Industrial Employment (Standing Orders) Act,
Shastri Bhawan, 5th Floor,
No.4, Haddows Road,
Chennai – 600 006.
- 3.The General Secretary,
Salem District Magnesite Anna Thozhir Sangam (AIADMK),
Arisipalayam, Salem – 636 009.
- 4.The General Secretary,
Magnesite Workers' Progressive Union (DMK),
Vellakkalatty Post, Salem – 636 012.



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5.The General Secretary,
Burn Standard Company Ltd.,
SC/ST Employees Trade Union,
2/128C, Jagir Reddipatty,
Salem – 636 302.

6.The General Secretary,
Magnesite Workers' Union (AITUC),
Jagir Ammapalayam Post,
Mamangam, Salem – 636 005.

7.The General Secretary,
Magnesite National Labour Union,
52, Dr.Subbarayan Road,
Salem – 636 001.

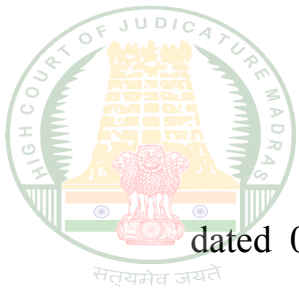
8.The General Secretary,
Salem Mavatta Magnesite Pattali Thozhir Sangam Keel Bard (Via SRCL),
Salem – 636 005.

9.The General Secretary,
Salem District Scheduled Caste and Scheduled Tribes
Magnesite Employees Trade Union,
H355, TNHB, Vasantham Nagar,
Kottagoundapatty (PO),
Salem – 636 011.

10.Salem District Magnesite Labour Union (affiliated to CITU),
237, Tharamangalam Road,
Salem – 636 005.

[R10 impleaded vide order dt. 21.12.2015 made in M.P.No.2 of 2015
in W.P.No.37471 of 2015] ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a Writ of Certiorari, calling for the records of the
first respondent dated 20.11.2015 confirming the order of the 2nd respondent



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dated 06.03.2015 in No.M.51/1/2014 B2 and quash the order of the 1st respondent dated 20.11.2015.

For Petitioner : Mr.W.Aadarsh Levin
for M/s.T.S.Gopalan & Co.

For Respondents : No appearance [R1 & R2]
M/s.S.Sathish Kumar
for M/s.Row & Reddy [R3 to R7 & R10]
Mr.G.Pugazhenthhi [R8 & R9]

ORDER

This Writ Petition has been filed by the petitioner seeking for a Writ of Certiorari, to call for the records of the first respondent dated 20.11.2015 confirming the order of the 2nd respondent dated 06.03.2015 in No.M.51/1/2014 B2 and quash the order of the 1st respondent dated 20.11.2015.

2. The 2nd respondent vide order dated 06.03.2015 issued a notification on certification to be inserted in the Standing Order, the workman shall retire the service of the company on attaining the age 60 years, as against which, the petitioner management filed an appeal before the appellate authority, the 1st respondent herein and the 1st respondent, by way of the impugned order, dated 20.11.2015, confirmed the order passed



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by the 2nd respondent, confirming the age of retirement as 60 years.

Challenging the same, the present writ petition is filed.

3. Learned counsel appearing for the respondents 3 to 7 and 10 submitted that, during the pendency of this writ petition, the very same petitioner management passed minutes of the Meeting of the Board of Directors held on 07.09.2017, resolving the age of retirement from 58 to 60 years and sent a proposal to the State Government for its approval.

4. In view of the subsequent decision taken by the petitioner management in the meeting of the Board of Directors held on 07.09.2017, the prayer sought for in this writ petition has become infructuous.

5. Accordingly, this Writ Petition is dismissed. No costs. Consequently, the connected writ miscellaneous petitions are also dismissed.

20.03.2025

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

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M.DHANDAPANI, J.

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